IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34248 of 2007(B)

PETITIONER:

BIJI SUNILKUMAR
ARUMAKKATTUKUDI HOUSE
MATTOOR, KALADY P.O.
ERNAKULAM DISTRICT

BY ADV. SRI.GEORGE BRISTON
SRI.JOJO PAPPACHAN

RESPONDENTS:
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1. STATE OF KERALA REP. BY THE SECRETARY
DEPARTMENT OF HOME
THIRUVANANTHAPURAM.

2. SUB INSPECTOR OF POLICE
KALADY POLICE STATION.

BY Government Pleader MR.P A SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR & K.P.BALACHANDRAN, JJ.

Writ Petition (C) No.34248 of 2007-B

Judgment

Balakrishnan Nair, J.

The petitioner has approached this Court, alleging that the second respondent is harassing her in connection with the investigation of a crime registered against her husband. He was a subordinate staff in a Bank and presently he is absconding. The learned Government Pleader upon instruction submitted that a crime has been registered against the petitioner's husband, involving offences of criminal breach of trust, misappropriation, forgery etc. The Police, as part of the routine investigation, are making enquiries with the petitioner. Since her husband is absconding, the Police are bound to make searches at the possible hide outs of the accused. They are only acting in accordance with law and no harassment is meted out to the petitioner, it is submitted.

2. We are of the view that the Police should be conceded authority to investigate into the crime registered against the petitioner's husband. They have to conduct searches to arrest the accused and also do everything necessary to complete the investigation.We are of the view that the submission

made by the Police that they will not harass the petitioner, will redress her grievance. If she has to be questioned and her presence is necessary for the same, the Police may issue notice to her under Section 160 Cr.P.C.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE

22.11.2007 **K.P.BALACHANDRAN, JUDGE**

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